

(ii) Not more than 90 days after the award of a contract or authorization where the agency's need for the service, article, material or supply is of such urgency that the United States would be seriously injured by a delay.

(3) A copy of the notification required in paragraph (c)(2) of this section shall be sent to the United States Trade Representative.

[58 FR 31142, May 28, 1993, as amended at 60 FR 67517, Dec. 29, 1995]

#### **25.1003 Contract clauses.**

Except as provided in 25.1002(b) and (c)—

(a) Insert the clause at 52.225-18, European Union Sanctions for End Products, in solicitations and contracts for supplies with an estimated acquisition value less than \$190,000.

(b) Insert the clause at 52.225-19, European Union Sanction for Services, in solicitations and contracts for—

(1) Services with an estimated acquisition value less than \$190,000; and

(2) All services listed in FAR 25.1002(a)(3)(ii).

[60 FR 67517, Dec. 29, 1995]

## **PART 26—OTHER SOCIOECONOMIC PROGRAMS**

### **Subpart 26.1—Indian Incentive Program**

Sec.

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AUTHORITY: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

SOURCE: 56 FR 41737, Aug. 22, 1991, unless otherwise noted.

NOTE: This part has been created to facilitate promulgation of additional FAR and agency level socioeconomic coverage which properly fall under FAR Subchapter D—Socioeconomic Programs, but neither implements nor supplements existing FAR Parts 19 or 22 through 25.

### **Subpart 26.1—Indian Incentive Program**

#### **26.100 Scope of subpart.**

This subpart implements 25 U.S.C. 1544, which provides an incentive to prime contractors that use Indian organizations and Indian-owned economic enterprises as subcontractors.

#### **26.101 Definitions.**

As used in this subpart—

*Indian* means any person who is a member of any Indian tribe, band, group, pueblo, or community which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs (BIA) in accordance with 25 U.S.C. 1452(c) and any "Native" as defined in the Alaska Native Claims Settlement Act (43 U.S.C. 1601).

*Indian organization* means the governing body of any Indian tribe or entity established or recognized by the governing body of an Indian tribe for the purposes of 25 U.S.C., chapter 17.

*Indian-owned economic enterprise* means any Indian-owned (as determined by the Secretary of the Interior) commercial, industrial, or business activity established or organized for the purpose of profit, provided that Indian ownership shall constitute not less than 51 percent of the enterprise.

*Indian tribe* means any Indian tribe, band, group, pueblo, or community, including native villages and native groups (including corporations organized by Kenai, Juneau, Sitka, and Kodiak) as defined in the Alaska Native Claims Settlement Act, which is recognized by the Federal Government as eligible for services from BIA in accordance with 25 U.S.C. 1452(c).

*Interested party* means a prime contractor or an actual or prospective offeror whose direct economic interest would be affected by the award of a subcontract or by the failure to award a subcontract.

[56 FR 41737, Aug. 22, 1991, as amended at 61 FR 39210, July 26, 1996]

#### **26.102 Policy.**

Indian organizations and Indian-owned economic enterprises shall have the maximum practicable opportunity to participate in performing contracts